

REPORT OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES

Voting Members

Kymberly Marcos Pine, Chair; Breene Harimoto, Vice-Chair,
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 22, 2013

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Intergovernmental Affairs and Human Services, which considered Resolution 13-197 entitled:

"RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNATED REPRESENTATIVE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ENVIRONMENTAL PROTECTION AGENCY RELATED TO CONVERTING THE EXISTING CESSPOOL SYSTEM TO A SEPTIC TANK SYSTEM AT SPECIFIC SITES WITHIN VARONA VILLAGES, EWA, HAWAII,"

introduced on August 15, 2013 and transmitted by Communication D-581 from the Department of Environmental Services, dated August 9, 2013, reports as follows:

The purpose of the Resolution is to authorize the Mayor or his designated representative to enter into an intergovernmental agreement with the United States Environmental Protection Agency, to accept grant funds to be used to partially fund the cesspool conversion project at specific sites within Varona Villages, Ewa, Hawaii.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON SEP 11 2013

COMMITTEE REPORT NO. 267

REPORT OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS AND HUMAN SERVICES

Voting Members

Kymberly Marcos Pine, Chair; Breene Harimoto, Vice-Chair,
Carol Fukunaga, Ann H. Kobayashi, Joey Manahan

Committee Meeting Held
August 22, 2013
Page 2

Your Committee amended the Resolution to a CD1 version which makes the following changes:

- A. Attaches and incorporates by reference the following documents:
 - 1. Grant Agreement dated July 19, 2006, attached as Exhibit B; and
 - 2. Assistance Amendment dated October 27, 2009, attached as Exhibit C.
- B. Amends the BE IT RESOLVED paragraph to authorize the execution of an agreement with the EPA in substantially the same form as the Assistance Amendment document attached as Exhibit A, but subject to the same terms and conditions as set forth in the documents attached as Exhibits B and C, and to authorize the execution of any incidental and related documents in furtherance of the agreement, provided such agreements and documents do not incur additional obligations on the part of the City.
- C. Makes miscellaneous technical and nonsubstantive amendments.

The Deputy Director of the Department of Environmental Services testified in support of the Resolution and the proposed CD1 version.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

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Committee Meeting Held
August 22, 2013
Page 3

Your Committee on Intergovernmental Affairs and Human Services is in accord with the intent and purpose of Resolution 13-197, as amended herein, and recommends its adoption in the form attached hereto as Resolution 13-197, CD1. (Ayes: Pine, Fukunaga, Harimoto, Kobayashi - 4; Noes: None; Excused: Manahan - 1.)

Respectfully submitted,



Committee Chair

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON SEP 11 2013

COMMITTEE REPORT NO. 267



RESOLUTION

AUTHORIZING THE MAYOR OR HIS DESIGNATED REPRESENTATIVE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE ENVIRONMENTAL PROTECTION AGENCY RELATED TO CONVERTING THE EXISTING CESSPOOL SYSTEM TO A SEPTIC TANK SYSTEM AT SPECIFIC SITES WITHIN VARONA VILLAGES, EWA, HAWAII.

WHEREAS, Chapter 1, Article 8, Revised Ordinances of Honolulu 1990, as amended, requires that any intergovernmental agreement or any amendments thereto that place an obligation upon the City or any department or agency thereof receive the consent and approval of the Council of the City and County of Honolulu; and

WHEREAS, the City and County of Honolulu is required to comply with the federal requirement, pursuant to the Clean Water Act, to replace Large Capacity Cesspools; and

WHEREAS, the City may receive a grant from the United States Environmental Protection Agency in the amount of \$241,075 to apply to the total project cost of \$1,722,921 to replace the Large Capacity Cesspools at Varona Villages; and

WHEREAS, the City and the United States Environmental Protection Agency have agreed to complete the cesspool conversion by October 30, 2013; and

WHEREAS, the terms and conditions of the grant are detailed in the Assistance Amendment document attached hereto as Exhibit A, the Grant Agreement dated July 19, 2006, attached hereto as Exhibit B, and Assistance Amendment dated October 27, 2009, attached hereto as Exhibit C; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Mayor or the Mayor's designated representative is hereby authorized to:

1. Execute an agreement with the Environmental Protection Agency in substantially the same form as the Assistance Amendment document attached hereto as Exhibit A, subject to the same terms and conditions as set forth in the Grant Agreement dated July 19, 2006, attached hereto as Exhibit B, and Assistance Amendment dated October 27, 2009, attached hereto as Exhibit C, all said Exhibits by reference made a part of this Resolution; and

ATTACHMENT TO CR-267



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 13-197, CD1

RESOLUTION

2. Execute any incidental and related agreements and documents in furtherance of the agreement, provided such agreements and documents do not incur additional obligations on the part of the City;

and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor and the Director of the Department of Environmental Services.


INTRODUCED BY:



Ernest Martin (BR)

DATE OF INTRODUCTION:

August 15, 2013
Honolulu, Hawaii

Councilmembers

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		ASSISTANCE ID NO.		DATE OF AWARD 09/19/2011 MAILING DATE 09/19/2011 ACH#	
			PRG	DOC ID		AMEND#
			XP -	96925901		- 2
			TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: County			Send Payment Request to: Las Vegas Finance Center, 702-798-2423			
RECIPIENT: City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813 EIN: 99-6001257			PAYEE: City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST		
Ross Tanimoto 1000 Ulukia St, Suite 308 650 S. King Street, 3rd Floor Honolulu, HI 96813 Kapolei, HI 96707 E-Mail: rtanimoto@honolulu.gov Phone: 808-692-5159 (808) 768-3482		Kate Rao 75 Hawthorne Street, WTR-9 San Francisco, CA 94105 E-Mail: Rao.Kate@epamail.epa.gov Phone: 415-972-3533		Martha Villarrea Grants Management Office, MTS-7 E-Mail: Villarrea.Martha@epamail.epa.gov Phone: 415-972-3686		
PROJECT TITLE AND EXPLANATION OF CHANGES Water Infrastructure - Varona Villages Cesspool Replacement Project This assistance amendment extends the budget and project period end dates to October 31, 2013. There is no change in the assistance amount. Previous terms and conditions remain in full force and effect.						
BUDGET PERIOD 10/01/2006 - 10/31/2013		PROJECT PERIOD 10/01/2006 - 10/31/2013		TOTAL BUDGET PERIOD COST \$1,722,921.00		
				TOTAL PROJECT PERIOD COST \$1,722,921.00		
NOTICE OF AWARD Based on your application dated 03/14/2005, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$. EPA agrees to cost-share 14.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$241,076. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning a pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter I, Subchapter B, and all terms and conditions of this agreement and any attachments.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS			
U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Carolyn Truong, Grants Management Officer		DATE 09/19/2011		
AFFIRMATION OF AWARD						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE <i>Ross S. Tanimoto</i>		TYPED NAME AND TITLE Dr. Eric Tanimoto, P.E. Timothy E. Steinberger, PE Director		DATE 10/10/2011		

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		ASSISTANCE ID NO.		DATE OF AWARD JUL 19 2006 MAILING DATE JUL 26 2006 ACH#	
			PRG	DOC ID		AMEND#
			XP -	96925901		- 0
			TYPE OF ACTION New			
RECIPIENT TYPE: County			Send Payment Request to: Las Vegas Finance Center, Bill Pumphrey, 702-798-2493			
RECIPIENT:			PAYEE:			
City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813 EIN: 99-6001257			City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST		
Ross Tanimoto 650 S. King Street, 3rd Floor Honolulu, HI 96813 E-Mail: rtanimoto@honolulu.gov Phone: 808-692-5158-808 768 3482		Laura Bose 75 Hawthorne Street, WTR-1 San Francisco, CA 94105 E-Mail: Bose.Laura@epamail.epa.gov Phone: 415-972-3538		Martha Villarreal Grants Management Office, MTS-7 E-Mail: Villarreal.Martha@epamail.epa.gov Phone: 415-972-3666		
PROJECT TITLE AND DESCRIPTION						
Water Infrastructure - Varona Villages Cesspool Replacement Project This assistance agreement provides full federal funding in the amount of 241,075 for the design and construction of wastewater system improvements for the homes in Varona Villages. The project involves the replacement of existing large capacity cesspools serving 45 homes and 155 residents with Individual Wastewater Systems, such as aerobic units or septic tanks, depending on the site conditions. The project will also result in the closure of large capacity cesspools.						
BUDGET PERIOD 10/01/2006 - 10/31/2009		PROJECT PERIOD 10/01/2006 - 10/31/2009		TOTAL BUDGET PERIOD COST \$1,722,921.00		
				TOTAL PROJECT PERIOD COST \$1,722,921.00		
NOTE: The Agreement must be completed in duplicate and the Original returned to the appropriate Grants Management Office listed below, within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. Receipt of a written refusal or failure to return the properly executed document within the prescribed time, may result in the withdrawal of the offer by the Agency. Any change to the Agreement by the Recipient subsequent to the document being signed by the EPA Award Official, which the Award Official determines to materially alter the Agreement, shall void the Agreement.						
OFFER AND ACCEPTANCE						
The United States, acting by and through the U.S. Environmental Protection Agency (EPA), hereby offers Assistance/Amendment to the <u>City and County of Honolulu</u> for <u>14.00</u> % of all approved costs incurred up to and not exceeding <u>\$241,075</u> for the support of approved budget period effort described in application (including all application modifications) cited in the Project Title and Description above, signed <u>03/14/2005</u> Included herein by reference.						
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS			
U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY						
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE		DATE		
		Alexis Strauss, Director - Water Division		JUL 19 2006		
This agreement is subject to applicable U.S. Environmental Protection Agency statutory provisions and assistance regulations. In accepting this award or amendment and any payments made pursuant thereto, (1) the undersigned represents that he is duly authorized to act on behalf of the recipient organization, and (2) the recipient agrees (a) that the award is subject to the applicable provisions of 40 CFR Chapter 1, Subchapter B and of the provisions of this agreement (and all attachments), and (b) that acceptance of any payments constitutes an agreement by the payee that the amounts, if any found by EPA to have been overpaid will be refunded or credited in full to EPA.						
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION						
SIGNATURE		TYPED NAME AND TITLE		DATE		
		Dr. Eric Takamura, P.E., Ph.D., Acting Director				

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 241,075	\$ 241,075
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$ 1,481,846	\$ 1,481,846
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 1,722,921	\$ 1,722,921

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.202 - Congressionally Mandated Projects	Consolidated Appropriations Act of 2004 (PL 108-199) Consolidated Appropriations Act of 2005 (PL 108-447)	40 CFR PART 31

[illegible]

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$778,033
2. Fringe Benefits	\$608,889
3. Travel	\$0
4. Equipment	\$335,999
5. Supplies	\$0
6. Contractual	\$0
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$1,722,921
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>86.00</u> % Federal <u>14.00</u> %.)	\$1,722,921
12. Total Approved Assistance Amount	\$241,075
13. Program Income	\$0

Administrative Conditions

1. An interim Financial Status Report (FSR), Standard Form 269A (Rev. 7/97), covering the period from "project/budget period start date" to September 30 of each calendar year shall be submitted to the Grants Management Office, PMD-7, no later than December 31 of the same calendar year. **The initial FSR is due December 31, 2007.** The final FSR covering the entire project period shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, within 90 days after the end of the project period according to the recipient's respective Code of Federal Regulations Part 31.23(b).
2. The required recipient cost share for this assistance agreement is 45% of total project costs. EPA agrees to pay up to 55% of total eligible project costs, not to exceed the Total Approved Assistance Amount. The assistance agreement may reflect a percentage shown under the "Offer and Acceptance" section which is based on estimated costs requested in the recipient's application.
3. The recipient shall comply with the Single Audit Act and the reporting requirements set forth in OMB Circular A-133.
4. The recipient agrees to complete and submit to the Grants Management Office, PMD-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the Federal fiscal year, i.e., by October 30 of each calendar year. Negative reports are required.
5. In accordance with EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under Federal assistance programs, the recipient agrees to:
 - a) Accept the applicable "fair share" goals negotiated with EPA by the HHS Department of Health, as follows:

	<u>MBE</u>	<u>WBE</u>
Construction	50%	4%
Supplies	29%	7%
Services	21%	2%
Equipment	27%	2%

If the recipient does not want to rely on the applicable State's MBE/WBE "fair share" goals, the recipient agrees to submit proposed MBE/WBE "fair share" goals based on availability of qualified minority and women-owned businesses to do work in the relevant market for construction, services, supplies, and equipment.

"Fair share" objectives must be submitted to Joe Ochab, PMD-1, within 30 days of award and approved by EPA no later than 30 days thereafter.

- b) Ensure to the fullest extent possible that at least the applicable "fair share" objective {see a) above} of Federal funds for prime contracts for supplies, construction, equipment or services are made available to organizations owned or controlled by socially and economically disadvantaged individuals, women and historically black colleges and universities.
 - c) Include in its bid documents applicable "fair share" objectives {see a) above} and require all of its prime contractors to include in their bid documents for subcontracts the negotiated fair share percentages.
 - d) Follow the six affirmative steps stated in 40 CFR Section 30.44(b), Section 31.36(e), Section 35.3145(d), or Section 35.6580(a), as appropriate.
 - e) In the event race and/or gender neutral efforts prove to be inadequate to achieve a fair share objective for MBE/WBEs, the recipient agrees to notify EPA in advance of any race and/or gender conscious action it plans to take to more closely achieve the fair share objective.
 - f) Until the recipient has completed its fair share negotiations with EPA, it agrees to apply the main State agency's fair share objectives. Once the recipient has completed its fair share negotiations with EPA, it will apply those objectives. The recipient also agrees to include in its bid documents the applicable "fair share" objectives and require all of its prime contractors to include in their bid documents for subcontracts the applicable "fair share" percentages and to comply with paragraphs (c) through (e) above.
6. The cost principles of OMB Circular **A-87** are applicable to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.
7. When procuring services, equipment, and/or supplies under this assistance agreement, the recipient will follow the same policies and procedures it uses for procurements from its non-Federal funds. The recipient will follow their own procurement policies and procedures provided that the policies and procedures conform with EPA regulations 40 CFR Part 31.36 or 30.44 (as applicable) which state that all procurement transactions will be conducted in a manner providing full and open competition.
8. The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

9. Pursuant to EPA's annual Appropriations Act, the chief executive officer of this recipient agency shall require that no grant funds have been used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. As mandated by this Act, the recipient agrees to provide certification to the award official via EPA Form 5700-53, *Lobbying and Litigation Certificate*, or in a written statement. The Lobbying and Litigation certification and final Financial Status Report shall be submitted within 90 days after the end of project period.

Recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States. Any Part 30 recipient shall abide by its respective OMB Circular (A-21 or A-122), which prohibits the use of Federal grant funds to participate in various forms of lobbying or other political activities.

10. Pursuant to EPA Order 1000.25 and Executive Order 13101, the recipient agrees to use recycled paper for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to Standard Forms. These forms are printed on recycled paper as available through the General Services Administration. Recipient shall comply with the requirements set forth in Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962). Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

11. Effective October 1, 1994, the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the Hotel and Motel Fire Safety Act of 1990.

12. Payment to consultants. Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. As of January 1, 2006, the rate is \$548.08 per day and \$68.51 per hour. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Parts 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2) or Part 30.27(b).

13. The recipient shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions." The recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 40 CFR Part 32, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

The recipient may access the Excluded Parties List System at <http://epls.arnet.gov>. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

Programmatic Conditions

P1. The recipient agrees not to bill or request reimbursement from EPA for any costs associated with the design or construction of the project funded by the grant, except for planning, environmental review and/or conceptual design until EPA has complied with the National Environmental Policy Act and other environmental cross-cutters (see 40 CFR 6.300 et seq) applicable to this project. If the grantee incurs such costs prior to the completion of any required environmental review, it does so at its own risk.

P2. The recipient agrees to provide to EPA Region 9 locational data (i.e., longitude and latitude) for the replacement wastewater systems.

P3. The recipient agrees to submit completed design plans for the systems to the Hawaii DOH WWB and will provide a copy of the approval to construct to EPA. The recipient also agrees to allow the DOH to inspect the project at any time.

P4. The recipient shall prepare and submit quarterly progress reports. The recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

Upon completion, the recipient agrees to provide copies of the HDOH's approvals to operate for all new systems and copies of the Large Capacity Cesspool final Completion Report for all cesspools filled.

Within 90 days of the end of the project period, the recipient must submit a final report documenting project activities over the entire project period and the recipients accomplishments with respect to the projects purpose and objectives.

P5. At the conclusion of the project the recipient shall submit an assessment of how effect the project was in achieving the stated environmental benefit.

-- END OF DOCUMENT --

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	ASSISTANCE ID NO.			DATE OF AWARD 10/27/2009
		PRG	DOC ID	AMEND#	
		XP - 96925901 - 1			MAILING DATE 10/27/2009
		TYPE OF ACTION No Cost Amendment			
RECIPIENT TYPE: County		Send Payment Request to: Las Vegas Finance Center, Bill Pumphrey, 702-798-2493			ACH#
RECIPIENT: City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813 EIN: 99-6001257		PAYEE: City and County of Honolulu 650 S. King Street, 3rd Floor Honolulu, HI 96813			
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST	
Ross Tanimoto 650 S. King Street, 3rd Floor Honolulu, HI 96813 E-Mail: rtanimoto@honolulu.gov Phone: 808-692-5159		Kate Rao 75 Hawthorne Street, WTR-9 San Francisco, CA 94105 E-Mail: Rao.Kate@epamail.epa.gov Phone: 415-972-3533		Martha Villarreal Grants Management Office, MTS-7 E-Mail: Villarreal.Martha@epamail.epa.gov Phone: 415-972-3666	
PROJECT TITLE AND EXPLANATION OF CHANGES Water Infrastructure - Varona Villages Cesspool Replacement Project This assistance amendment extends the budget and project period end dates to October 31, 2011. Previous terms and conditions remain in full force and effect. There is no change to the EPA assistance amount.					
BUDGET PERIOD 10/01/2006 - 10/31/2011		PROJECT PERIOD 10/01/2006 - 10/31/2011		TOTAL BUDGET PERIOD COST \$1,722,921.00	
				TOTAL PROJECT PERIOD COST \$1,722,921.00	
NOTICE OF AWARD Based on your application dated 03/14/2005, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$. EPA agrees to cost-share 14.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$ 241,075. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS		
U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105			U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
SIGNATURE OF AWARD OFFICIAL Digital signature applied by EPA Award Official		TYPED NAME AND TITLE Denise Zvanovec, Acting Grants Management Officer		DATE 10/27/2009	
AFFIRMATION OF AWARD					
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION					
SIGNATURE		TYPED NAME AND TITLE Dr. Eric Takamura, P.E., Director		DATE	

XP - 96925901 - 1 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 241,075	\$	\$ 241,075
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 0	\$	\$ 0
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 1,481,846	\$	\$ 1,481,846
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,722,921	\$ 0	\$ 1,722,921

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.202 - Congressionally Mandated Projects	Consolidated Appropriations Act of 2004 (PL 108-199) Consolidated Appropriations Act of 2005 (PL 108-447)	40 CFR PART 31

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Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$778,033
2. Fringe Benefits	\$608,889
3. Travel	\$0
4. Equipment	\$335,999
5. Supplies	\$0
6. Contractual	\$0
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$1,722,921
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient 86.00 % Federal 14.00 %.)	\$1,722,921
12. Total Approved Assistance Amount	\$241,075
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$0
15. Total EPA Amount Awarded To Date	\$241,075

Administrative Conditions

All Administrative Conditions Remain the Same

Programmatic Conditions

All Programmatic Conditions Remain the Same